

Applicants: DEVOR, Harold
Theodore et al.
Serial Number: 10/721,879

Assignee: Intel Corporation
Attorney Docket: P-6216-US

REMARKS

Applicants have carefully studied the Office Action. This paper is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Status of the Claims

Claims 1, 3-9, 11-17, 19-21, and 23-28 are pending in the Application. Claims 1, 3-4, 8-9, 11-12, 15, 17, 19-21, and 23-24 have been amended. No new matter has been added.

Telephone Interview

Initially, Applicants wish to thank the Examiner, Robert E. Fennema, for granting and attending the telephone interview, with Applicants' Representative, Caleb Pollack, Reg. No. 37, 912 and Martin Wolff on August 6, 2007. In the interview, the Examiner's "Response to Arguments" was discussed. Agreement was reached that claim 1, if amended as above, would overcome the prior art rejections of record. The undersigned thanks the Examiner for his observations and helpful suggestions.

Claim Objections

The Examiner objected to claim 11 for depending upon itself. Applicants respectfully submit that in view of the present amendment to claim 11 replacing "11" with "9", the objection has been overcome.

Claim Rejections Under 35 USC §102(b)

In the Office Action, the Examiner rejected claims 1, 3-7, 9, 11-15, 21, 23-26, and 28 under 35 U.S.C. § 102(b), as being anticipated by Hohensee et al., U.S. Patent Number 6,064,815. Applicants respectfully traverse this rejection in view of the currently amended claims and the remarks that follow.

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Each of amended independent claims 1, 9, and 21 recites in paraphrase, *inter alia*, inserting one or more instructions in a code block. Hohensee does not disclose or suggest at least this feature of amended independent claims 1, 9, and 21. For a reference to anticipate a claim, each element of the claim must appear in the reference. Therefore, Hohensee does not anticipate claims 1, 9, and 21, as amended.

Each of claims 3-7, 11-15, 23-26, and 28 depends from one of amended independent claims 1, 9, and 21 and includes all the features of the claim for which it depends as well as additional distinguishing features, and is therefore likewise allowable.

Therefore, Applicants respectfully submit that the rejection of claims 1, 3-7, 9, 11-15, 21, 23-26, and 28 under 35 U.S.C. § 102(b), as being anticipated by Hohensee should be withdrawn.

Claim Rejections Under 35 USC §103(a)

In the Office Action, the Examiner rejected claims 8, 16-17, and 19-20 under 35 U.S.C. § 103(a), as being unpatentable over Hohensee.

Each of amended independent claims 1, 9, and 17 recites in paraphrase, *inter alia*, inserting one or more instructions in a code block. Hohensee does not disclose or suggest at least this feature of amended independent claims 1, 9, and 17. Therefore, Hohensee does not render amended independent claims 1, 9, and 17 obvious.

Each of claims 8, 16, and 19-20 depends from one of amended independent claims 1, 9, and 17, and includes all the features of one of these amended independent claims as well as additional distinguishing features, and is therefore likewise patentable.

Accordingly, the rejection of claims 8, 16-17, and 19-20, under 35 U.S.C. § 103(a) as being unpatentable over Hohensee, is respectfully requested to be withdrawn.

In addition, the Examiner rejected claim 27 under 35 U.S.C. § 103(a), as being unpatentable over Hohensee in view of Drongowski, "Performance Tips for Alpha Linux C

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Programmers". Applicants respectfully traverse the rejection of Claim 27 under 35 U.S.C. § 103(a).

Claim 27 depends directly from amended independent claim 21; as discussed above, claim 21 is patentable over Hohensee. The deficiency of Hohensee is not supplied by the teachings of Drongowski; accordingly, Applicants respectfully submit that dependent claim 27 is patentable over Hohensee and Drongowski alone, or in combination. Accordingly, the rejection of claim 27 under 35 U.S.C. § 103(a), as being unpatentable over Hohensee in view of Drongowski, is respectfully requested to be withdrawn.

Conclusion

In view of the foregoing amendment and remarks, and for at least the reasons discussed above, Applicants respectfully submit that the claims are allowable. Their favorable reconsideration and allowance are respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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Aside from the fees for the RCE, being paid separately, no fees are believed to be due in connection with this paper. If any additional fees are due, please charge any such fees to deposit account No. 50-3355.

Respectfully submitted,


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